

**REMARKS**

Claims 1-28 are pending in the application. Claims 22-24 are indicated as allowable.

Claims 4-8, 17 and 19 are indicated to contain allowable subject matter.

Claims 1-3, 15, 16, 20 and 21 have been cancelled herein.

Claims 4, 9, 14 and 17 have been amended to independent form.

Claims 1-3, 9-16, 18 and 20-21 are rejected under 35 U.S.C. § 102(e) as anticipated by Galand et al. (U.S. 6,317,433) (Galand).

Claims 9-14 and 18 remain of which claim 18 is independent and claims 9 and 14 have been amended to independent form. Claims 10-13 depend from claim 9.

It is respectfully submitted claims 9 and 14 are different from Galand because applicant's claimed invention includes at least the distinguishing feature of generating code information for identifying the first and second ATM cells.

The code information is added in a specific area of each of the first and second ATM cells, and detecting absence or presence of cell discard upon referring to the code information of a received ATM cell.

In claims 9 and 14, the Office Action points to Galand col. 7, lines 21-26 however Galand teaches checking the integrity of the packet header. Simply checking integrity is different from referring to the information. To check integrity of a packet you don't have to refer to the information. Simply checking parity bits for example, can tell the integrity of a header whereas referring to information is different.

In claim 18, includes adding on code information, which is for identifying the first and second ATM cells, to a predetermined position of each ATM cell. Claim 18 also includes identifying the first and second ATM cells upon referring to the code information.

The Office Action points to Galand col. 10, lines 34-51 describes reconstructing the payload which may include transferring compressed payload information from the header. However Galand does not describe identifying first or second ATM cells by referring to the code information.

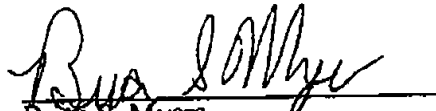
In view of at least the foregoing it is respectfully requested the rejection of claims 9-14 and 18 be withdrawn.

Claims 25-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Galand in view of Baldwin et al. (U.S. 5,953,339). It is respectfully submitted claims 25-28 depend from allowable claims and the rejection should be withdrawn.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

  
Brian S. Myers  
Reg. No. 46,947

**CUSTOMER NUMBER 026304**

Telephone: (212) 940-8703  
Fax: (212) 940-8986t  
Docket No.: FUSA 16.745 (100807-16745)  
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